4 Minimum inches of ice needed to walk safely across frozen water.

Migratory bird protections retained

"It is not only a sin to kill a mockingbird, it is also a crime. That has been the letter of the law for the past century," U.S. District Court judge Valerie Caproni wrote in her August 2020 ruling that a recent Department of the Interior legal opinion weakened the Migratory Bird Treaty Act [MBTA].

In her ruling, Judge Caproni found that the revised policy does not align with the intent and language of the 100-year-old law. Instead, she wrote, it "runs counter to the purpose of the MBTA to protect migratory bird populations" and is "contrary to the plain meaning of the MBTA." The decision results from a series of lawsuits brought in 2018 by the National Audubon Society, several other conservation groups, and eight states.

FISH HABITAT

Old bridge timbers help fish

For two decades, FWP and the Montana Department of Transportation (MDT) have teamed up to transform bridge stringers, or timbers, into fish habitat improvements. "It's such a great way to reuse materials to benefit fish and streams, and most people haven't heard about it," says Michelle McGree, who runs FWP's Future Fisheries Habitat Improvement Program.

Stringers are wooden beams that were installed over piers and abutments to create highway bridges in the mid–20th century. Each year, MDT crews replace aging bridges across Montana, resulting in surplus stringers.

Private landowners can use these stringers to help build bridges over streams on their own property, instead of relying on metal culverts. Culverts are inexpensive and easy to install, but fish often struggle to move upstream through them, especially if the structures are too small in diameter.

"High flows going through a small culvert create a fire hose effect," McGree explains. "The water velocity is too much for fish."

Small culverts also can't handle floodwaters, which then erode the bank next to or downstream of the structures. "Sometimes a culvert gets washed out and then the stream widens," McGree says. Widening makes a coldwater stream shallower, causing it to warm more quickly in the summer sun.

By using the free salvage timbers, donated by MDT and FWP, landowners can afford to build stream crossings that allow fish to easily move underneath. Landowners only need to provide abutments and decking for the bridge.

The timber bridges not only help with fish passage, they also improve a stream's ecological function, sustain invertebrates and other aquatic life, and often last decades longer than culverts.

McGree says that over the past 20 years, salvaged bridge stringers have been used on

> **"High flows going through a small culvert create a fire hose effect. The water velocity is too much for fish."**

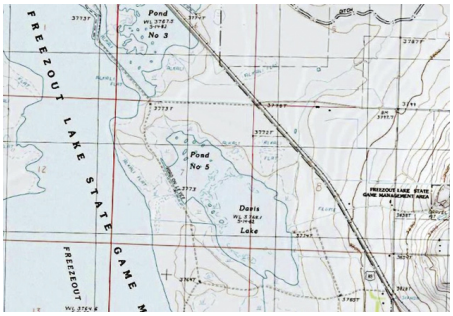
160 to 200 private land stream crossings in western and central Montana near Missoula, Wisdom, Dillon, Butte, Helena, Great Falls, and Livingston.

"For instance, one crossing that was recently installed on a tributary of the Big Hole is now allowing Arctic grayling to move to and from the river," she says. ■

A small culvert on Brewster Creek, a major tributary of Rock Creek southeast of Missoula, blocked upstream fish movement. Trout Unlimited, using salvage bridge stringers from the Montana Department of Transportation and funding from FWP, helped the landowner replace the culvert with a bridge that opens up six miles of prime spawning and rearing habitat.

CLOCKWISE FROM TOP LEFT: CARTOON BY MIKE MORAN; LEWISTOWN PUBLIC LIBRARY; SHUTTERSTOCK; MONTANA FWP; MONTANA FWP; SHUTTERSTOCK

What the Camp Freezout stagecoach stop might have looked like in the 1880s.



The USGS map above shows FWP's "Freezout" spelling for the state game management area (actually, *wildlife* management area) and the USGS spelling of "Freezeout" for the lake.

WILDLIFE MANAGEMENT AREAS

How Freezout lost its "e"

Regular readers of *Montana Outdoors* and other FWP publications who see "Freezout Lake" may think they've caught a typo. Not so.

Freezout, with no "e" after the "z," is the original name. Even though it looks weird and implies that FWP staff don't know how to spell, the agency is sticking with tradition. "It's a never-ending battle, but we try to correct people whenever we can, even the same people more than once," says Brent Lonner, an FWP wildlife biologist whose work area includes Freezout Lake Wildlife Management Area (WMA).

Freezout Lake, at the center of the WMA, is a 12,000-acre basin 35 miles northwest of Great Falls. The alkali lake was naturally fed with snow and rain runoff but historically went completely dry during drought years. Now the lake is also fed by irrigation runoff from surrounding barley and other crop fields. In the mid-20th century, a system of dikes and ditches was built to regulate water levels in ways that benefit waterfowl and shorebirds and eliminate highway and railroad flooding.

The earliest record of the lake's name and unique spelling originated during the late 1800s when a few soldiers stationed at nearby Fort Shaw (established in 1867) were caught in a blinding blizzard while traveling in the area. It has been called Freezout Flats, later changed to Freezout Lake, ever since.

In 1885, a stagecoach stop was established in the area and apparently was named Camp Freezout or Freezout Way Station. Some travelers spending cold nights at the desolate station would play a variation of poker they called Freezout while tending the stove. Among early visitors to Camp Freezout were Western artist Charles M. Russell and Brother Van, an early missionary in the area. In his letters, Van recalled seeing herds of bison watering at the lake.

Don Childress, head of the FWP Wildlife Division from 1990 to 2006, says the department has stuck with the original spelling since it first acquired the area and made it into a WMA in the 1950s. "The U.S. Geological Survey (USGS) also used that spelling for years on its maps. But at one point someone there must have decided it was a misspelling and added the 'e' to the name on the official USGS map."

Lonner says FWP has no plans to add the missing vowel. "We like using the historical spelling. It provides a unique link to bygone times in Montana history," he says. ■

169-year-old Confederate bird name changed

The American Ornithological Society (AOS) recently announced it is renaming the McCown's longspur. The small prairie bird native to eastern Montana and elsewhere in the northern Great Plains was originally named after Confederate general John Porter McCown, a defender of slavery and anti-Indian aggression.

The bird was named for McCown in 1851 after the amateur birder sent a specimen, the first recorded for science, to an ornithologist friend.

It will now be known as the thick-billed longspur.

Since 2018, many ornithologists have been trying to sever the bird's name from McCown, who, in addition to fighting to preserve white supremacy, went to war against the native Seminole people. "All races and ethnicities should be able to conduct future research on any bird without feeling excluded, uncomfortable, or shame when they hear or say the name of the bird," reads a 2019 petition from the AOS classification committee. "This longspur is named after a man who fought for years to maintain the right to keep slaves, and also fought against multiple Native tribes." ■